

Application No. 10/020,152

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Remarks:

In the present office action, the Examiner rejected Claims 1, 3-7, 9-10, 12-16, and 18 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,967,554 to Ziegler et al. ("Ziegler") in view of U.S. Patent No. 2,766,572 to Vogelaar ("Vogelaar"), and further in view of U.S. Patent No. 5,077,972 to Bianchetta et al. ("Bianchetta").

The Applicant would like to thank the Examiner for his cooperation and participation in telephone conferences on March 3 and 4, 2004; the Applicant is extremely appreciative. During the telephone conferences, the Applicant and the Examiner discussed their respective interpretations of the Bianchetta reference. (Column 4, Lines 27-68.) Specifically, the Applicant and Examiner reviewed the manner in which the load sensing line and variable pump of Bianchetta operated in contrast to the present invention. It was concluded that the duplicating valve of Bianchetta acts as a pressure reducing valve to instruct a pump to discharge a pressure amount as determined by load sensing line 57 of the duplicating valve. In essence, the duplicating valve of Bianchetta senses only the single highest load of any one of the active circuits within the system. The duplicating valve then instructs the pump to reproduce the highest sensed load and to distribute it throughout each circuit in the system.

The Applicant and Examiner also discussed a distinguishing feature of the present invention over the Bianchetta reference. Specifically, the Examiner noted that the pump of the present invention senses the combined hydraulic load of the circuit, (see Specification, Paragraph 27), whereas Bianchetta senses only the single highest hydraulic load of its system. Accordingly, the Applicants have amended independent Claims 1, 10, and 18 to read more clearly and to highlight that the variable pump of the present invention senses the combined

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hydraulic load carried by the header circuit. It is thus respectfully submitted that amended independent Claims 1, 10, and 18 contain no new matter and are patentable and nonobvious over Ziegler in view of Vogelaar, and further in view of Bianchetta. Additionally, Claims 3-7 and 9, which depend from Claim 1, and Claims 12-16, which depend from Claim 10, are also patentable as being dependent from allowable base claims.

In summary, and in light of the Applicant's amendments, Claims 1, 3-7, 9-10, 12-16, and 18 are patentable and in condition for allowance. Therefore, favorable reconsideration of the application is respectfully requested. Should the Examiner believe that the prosecution of the application could be so expedited, he is requested to call Applicant's undersigned Attorney at the number listed below.

Respectfully submitted:

BY



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